

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WISCONSIN

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BLONG YANG, JAY SCHROEDER,  
PAUL MARTIN DRIFTMIER, SR.,  
ANGELA RAY HAUG, KELLY LYNN  
MCELWAIN, REV. DANIEL JAY  
QUAKKELAAR, MADISON MARIE  
ELMER, ERIC THOMAS SKELTON,  
SANDRA K. MORRIS, CINDY WERNER,  
ALEXANDRA CARNEY SCHWEITZER,  
JESTIN KORLESKI, JAIME LYNN  
WESTCOMB, JENNY LEIGH  
TURKELSON, ANNA ALETHIA  
MANNING, WILLIAM NAUTA, LENAE  
LENORE GILBERTSON, LISA BINNING,  
DARCY BLOOM, GAYELYNN PLASTER,  
ELIZABETH THORNE, LUIS A. VERGARA,  
CELECIA SANCHEZ, MARY MAGDALEN MOSER,

Plaintiff,

CASE NO. 20-CV-760

v.

SUSAN POWERS, MARY DORN,  
DOUGLAS GIERYN, KURT EGGBRECHT  
GREG PETERSON, DANIEL BLACKDEER  
JANEL HEINRICH, MARIE-NOEL  
SANDOVAL, ROANN WARDEN, DOTTIE-KAY  
BOWERSOX, JEANETTE KOWALIK, SANJIB  
BHATTACHARYYA, DAVID BETH, JOSEPH  
CARDAMONE, III, JODY WARD, DEAN M. SMITH,  
ANTHONY S. EVERS, AND ANDREA PALM,

Defendants.

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**MOTION TO DISMISS FOR NONCOMPLIANCE  
WITH RULE 20 GOVERNING JOINDER OF PARTIES**

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Janel Heinrich (Public Health Officer Madison & Dane County), Mary Dorn (Outagamie County Public Health Officer), Marie-Noel Sandoval (Rock County Health Officer), Dean M. Smith (City of Oshkosh Chief of Police), David Beth (Kenosha County Sheriff), and Joseph Cardamone, III (Kenosha County Corporation Counsel), by their attorneys, MUNICIPAL LAW & LITIGATION GROUP, S.C., and Jeanette Kowalik (City of Milwaukee Commissioner of Health) and Sanjib Bhattacharyya (City of Milwaukee Special Deputy Health Commissioner) by their attorneys, CITY OF MILWAUKEE CITY ATTORNEY TEARMAN SPENCER, and Susan Powers (Door County Public Health Officer), Douglas Gieryn (Winnebago County Public Health Officer) and RoAnn Warden (Green County Public Health Officer), by their attorneys, VON BRIESEN & ROPER, S.C., respectfully move the court to dismiss this lawsuit without prejudice due to the misjoinder of the parties. This motion is made pursuant to the joinder rules under Federal Rule of Civil Procedure 20 and 21 and is supported by the brief filed in support thereof.

Dated this 10<sup>th</sup> day of July, 2020.

**MUNICIPAL LAW & LITIGATION GROUP, S.C.**

Attorneys for Janel Heinrich (Public Health Officer Madison & Dane County), Mary Dorn (Outagamie County Public Health Officer), Marie-Noel Sandoval (Rock County Health Officer), Dean M. Smith (City of Oshkosh Chief of Police), David Beth (Kenosha County Sheriff), and Joseph Cardamone, III (Kenosha County Corporation Counsel)

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Officer) and Douglas Gieryn (Winnebago County Public  
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